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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,271

03/25/2005

Gunther Brandenburg

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06/14/2006

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EXAMINER

MARINI, MATTHEW G

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/529,271

Applicant(s)

BRANDENBURG ET AL.

Examiner

Matthew G. Marini

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2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 16 recites the limitation "a setpoint value for controlling a lead of the second pulling unit" in line 3. It is unclear as to if the applicant is stating a new different set point value being sent to the second pulling unit or if it is the same setpoint value referred to in Claim 13.

### ***Claim Objections***

Claims 12-22 are objected to because of the following informalities: It is vague as to what applicant refers to in the claims as the cut register and the setpoint value associated with the cut register. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson (5,568,767).

As to Claim 12, Jackson teaches in Fig. 1 a method for controlling a cut register of a web-fed rotary press, Col. 1 lines 13-15, comprising: guiding a web, W, leaving a last printing unit, not shown but can be read in Col. 1 lines 13-15, of the printing press to a cross-cutting device, 6, via pulling units, 1a (seen below), 6, and 7 of Fig. 1 with adjustable leads; and changing a circumferential speed, Col. 3 lines 53-67 by controlling the motor 5, of at least one of the pulling units, 6 and 7, to adjust the cut register.

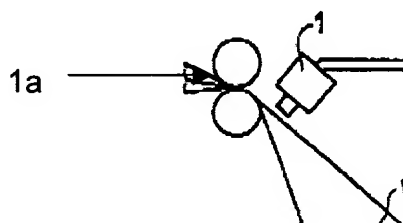


Figure A

As to Claim 13, Jackson teaches in Fig. 1 a method where the step of changing includes: detecting a first actual value of the cut register, the printed image Col. 3 lines 51-53, using a first cut-register sensor, 1; feeding the detected first actual value of the cut register to a controller, 2; comparing, by the controller, the detected actual value of the cut register, printed image, with a cut-register set point value, the minimum response interval of the cutting cylinder electromechanical system, Col. 4 lines 7-11 and the know distance between the scanner 1 and the cutting cylinder 6, Col. 4 lines 44-49; adjusting, by the controller, 3, a motor, 5, of said at least one pulling unit, 6 and 7 to change the circumferential speed.

As to Claim 14, Jackson teaches in Fig. 1 a method including: providing a second cut-register sensor, 9, positioned at a second pulling unit, 6, upstream of said at least one pulling unit, 1a of the above Figure A; detecting a second actual value of the cut

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register using the second cut-register sensor, synchronizing information; deriving a differentiating proportion from the first and second actual values of the cut register, registration errors and feeds the information to the control, 2 then to 3; and applying, by the controller, 2 and then 3, a feed forward control based on the differentiating proportion, Col. 3 lines 51-67.

As to Claim 15, Jackson teaches a method further including: determining an actual state of the cut register based on a mathematical model using statistical trends from pervious samples, Col. 4 lines 42-44; deriving a differentiating proportion from the actual state of the cut register; and applying, by the controller, feedforward control based on the differentiating proportion, Col. 50-67.

As to Claim 16, Jackson teaches a method further including: supplying by the controller, 2, to a second pulling unit, 7, downstream of said pulling unit, 6, a set point value, for controlling a lead of the second pulling unit, 6.

As to Claim 17, Jackson teaches a method further including compensating by the controller, 2, a counteractive effect by forces of the web on a torque of the motor, 5, of said at least one pulling unit, 6 and 7, in Col. 3 line 61-63.

As to Claim 18, Jackson teaches in Fig. 1, an apparatus for controlling a cut register of a web-fed rotary press having a web, W, guided from a last printing unit, not shown but can be seen in Col. 1 lines 13-15, to a cross cutting device, 6, via a plurality of pulling units, 1 from Figure A above, 6 and 7, comprising: a controller, 4, connected to a motor, 5, of at least one of the pulling units, 6 and 7; and a first cut-register sensor, 1, disposed to detect a first actual value of the cut register, the printed image, on the

web, W, and feed the detected first actual value to the controller, from 2 to 4, wherein the controller, 4, controls the motor, 5, to adjust a speed of said at least one pulling unit, 7, based on the first actual value of the cut register, Col. 4 lines 55-63.

As to Claim 19, Jackson teaches in Fig. 1, an apparatus further including a second cut-register sensor, 9, connected to the controller, 4 via the scan controller, 2, and computer, 3, and disposed at a second pulling unit, 6, upstream of said at least one pulling unit, 1 from Figure A above, the second cut-register sensor, 9, detecting a second actual value of the cut register, Col. 3 lines 53-57, and feeding the second actual value to the controller, 2, the controller, 4, applying feedforward control based on the second actual value, Col. 4 lines 55-63.

As to Claim 20, Jackson teaches in Fig. 1, an apparatus further including a computing unit, 3, connected to the controller, 2, the computing unit calculating an actual state of the cut register based on a mathematical model, Col. 4 lines 40-44, the controller, 4, receiving the calculated actual state from the computing unit, 3, and applying feedforward control based on the calculated actual state, Col. 4 lines 50-67.

As to Claim 21, Jackson teaches in Fig. 1, an apparatus where the controller, 4, is further connected to a motor, 5, of a second pulling unit, 7, downstream of said at least one pulling unit, 1 from the above Figure A, and provides to the second pulling unit a setpoint value, same speed as for the puller 6, for controlling a lead of the second pulling unit, 7.

As to Claim 21, Jackson teaches in Fig. 1, an apparatus where the controller, 4, controls said at least one pulling unit, 6 and 7, to compensate for a counteracting effect by forces

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of the web, W, on a torque of the motor, 5, of said at least one pulling unit, 6 and 7 in Col. 3 lines 57-65.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Marini whose telephone number is (571)-272-2676. The examiner can normally be reached on Monday-Friday 8:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571)-272-2168. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew Marini

  
06/07/06



**REN YAN  
PRIMARY EXAMINER**